

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

PROGRESS RAIL SERVICES
CORPORATION, an Alabama
corporation,

Plaintiff,

vs.

WESTERN HERITAGE CREDIT UNION,
a Nebraska Credit Union, and DAVID G.
BRADFORD

Defendants.

WESTERN HERITAGE CREDIT UNION,
a Nebraska Credit Union,

Cross-claimant,

vs.

DAVID G. BRADFORD

Cross-defendant.

Case No. 8:05CV98

ORDER OF DISMISSAL

This matter came before the Court on the Parties' Notice of Dismissal [Docket No. 147]. Having reviewed the Notice, the Court finds that it should be granted. Therefore, it is hereby ordered that:

1. All claims asserted by Progress Rail against WHCU in the Second Amended Complaint are voluntarily dismissed with prejudice without costs or fees to any party.
2. All claims asserted by Progress Rail against Bradford in the Second Amended Complaint are voluntarily dismissed with prejudice without costs or fees to any party.

3. All claims asserted by WHCU against Bradford in the Answer to the Second Amended Complaint and Cross Claim [Dkt No. 46] are voluntarily dismissed without prejudice and without costs or fees to any party.

IT IS SO ORDERED.

DATED this 17th day of August, 2007.

BY THE COURT:

s/ Joseph F. Bataillon
Joseph F. Bataillon
United States Chief District Court Judge